

UNITED STATES DISTRICT COURT

for the

Eastern District of Michigan

Case: 2:24-mj-30433

United States of America

v.

Serveo Myckycle Newell

Case No.

Assigned To : Unassigned

Assign. Date : 10/8/2024

Description: RE: SEALED
MATTER
(EOB)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of September 26, 2024 in the county of Wayne in the
Eastern District of Michigan, the defendant(s) violated:*Code Section**Offense Description*

18 U.S.C § 922(g)(1)

Felon in possession of a firearm.

This criminal complaint is based on these facts:

See attached affidavit.

☒ Continued on the attached sheet.
Complainant's signature

Kenton Weston, Special Agent-ATF

*Printed name and title*Sworn to before me and signed in my presence
and/or by reliable electronic means.Date: October 8, 2024City and state: Detroit, Michigan
Judge's signature

Hon. David R. Grand, United States Magistrate Judge

Printed name and title

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, Kenton Weston, being first duly sworn, hereby state:

INTRODUCTION

1. I am a Special Agent with the Bureau of Alcohol, Tobacco, Firearms and Explosives, and have been since January 2018. I graduated from the ATF Special Agent Basic Training Program and several advanced courses, including the ATF Privately Made Firearm and Machine Gun Conversion Train the Trainer Course and the Criminal Investigator Training Program. During my employment with ATF, I have conducted or participated in over a hundred criminal investigations focused on firearms, drug trafficking violations, and criminal street gangs in the Eastern District of Michigan, resulting in the seizure of illicit controlled substances, firearms, and more than 175 arrests.

2. I am an “investigative or law enforcement officer of the United States” within the meaning of 18 U.S.C. 2510(7), and I am empowered to conduct investigations and make arrests of offenses enumerated under federal law.

3. I make this affidavit from personal knowledge based on my participation in this investigation, including interviews conducted by myself and/or other law enforcement agents, communications with others who have personal knowledge of the events and circumstances described herein, review of reports by myself and/or other law enforcement agents, and information gained through my

training and experience. The information outlined below is provided for the limited purpose of establishing probable cause and does not contain all the information known to law enforcement related to this investigation.

4. The ATF is currently investigating Serveo Myckycle NEWELL, (DOB: XX/XX/1999), for violating 18 U.S.C. § 922(g)(1) (being a felon in possession of a firearm).

PROBABLE CAUSE

5. On September 26, 2024, Detroit police officers were on routine patrol in Detroit, Michigan, when they saw a black Ford Fusion stopped at a traffic light. The driver and sole occupant was not wearing a seatbelt. The officers pulled behind the vehicle and ran the license plate, learning that the vehicle did not have insurance. The Ford Fusion then quickly pulled into a nearby parking lot and parking crookedly as if it was attempting to evade the officers pulling over the vehicle.

6. Officers pulled behind the Ford Fusion, activated their overhead lights, and conducted a traffic stop. As officers stopped their vehicle and approached the Fusion, NEWELL, the driver and sole occupant, opened the driver-side door like he was attempting to get out of the car. Officers told NEWELL that there was no insurance on the car; NEWELL acknowledged that he knew that there was no insurance on the vehicle. Officers then directed NEWELL to exit the

vehicle. While exiting, NEWELL attempted to flee on foot, running several steps from officers before they were able to apprehend him by taking him to the ground. As officers pulled NEWELL to his feet, NEWELL said that there was a weapon in his pocket. Officers recovered a loaded, Smith & Wesson, M&P 40, .40 S&W caliber pistol from NEWELL's person. Officers arrested him and learned that he had two additional felony warrants for his arrest.

7. I reviewed DPD body worn camera footage that showed NEWELL attempting to flee from DPD. It also showed NEWELL stating that he had a weapon on him and officers recovering the firearm. After NEWELL was arrested and placed in the back of the scout car, NEWELL spontaneously uttered "FUCK this is not real, FUCK I am going to prison, FUCK I am going back to prison." As the case agent on NEWELL's 2020 ATF investigation, I know that NEWELL previously pled guilty to receiving a firearm with an obliterated serial number (a federal felony conviction) and was sentenced to more than a year in federal prison. Therefore, there is probable cause to believe that NEWELL knew that he was a convicted felon and was not permitted to possess a firearm.

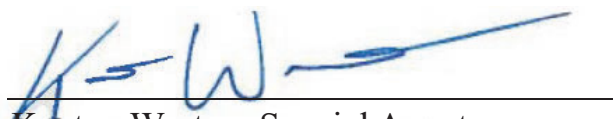
8. On October 7, 2024, I contacted Special Agent Kara Klupacs, an ATF Interstate Nexus Expert, and provided her a description of the firearm recovered. Based upon the description, Special Agent Klupacs advised that firearm is a firearm as defined under 18 U.S.C. § 921. She also advised that the firearm was

manufactured outside of the state of Michigan after 1898 and therefore traveled in and affected interstate commerce.


CONCLUSION

9. There is probable cause to believe that on September 26, 2024, in the Eastern District of Michigan, Serveo Myckycle NEWELL, who knew that he was a convicted felon, knowingly possessed a firearm, which had traveled in interstate commerce, in violation of 18 U.S.C. § 922(g)(1).

Respectfully submitted,


Kenton Weston, Special Agent
Bureau of Alcohol, Tobacco,
Firearms and Explosives

Sworn to before me and signed in my
presence and/or by reliable electronic means


Honorable David R. Grand
United States Magistrate Judge

Date: October 8, 2024